

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
CENTRAL DIVISION

DAVID FERRELL
ADC #105996

PLAINTIFF

v.

Case No. 4:20-cv-00035 KGB-JJV

WENDY KELLEY, *et al.*

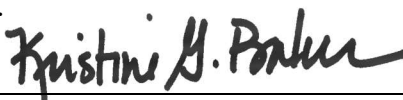
DEFENDANTS

ORDER

The Court has received Proposed Findings and Recommendations from United States Magistrate Judge Joe J. Volpe (Dkt. No. 31). No objections have been filed, and the time for filing objections has passed. After a careful review, the Court concludes that the Proposed Findings and Recommendations should be, and hereby are, approved and adopted in their entirety as this Court's findings in all respects (*Id.*).

Accordingly, this Court grants defendants' motion for judgment on the pleadings (Dkt. No. 21). Plaintiff David Ferrell's official capacity claims which seek only monetary relief against all defendants are dismissed with prejudice, his personal capacity claims against Wendy Kelley are dismissed without prejudice, and Ms. Kelley is terminated as a party to this action. The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an *in forma pauperis* appeal from this Order would not be taken in good faith.

It is so ordered this 20th day of January, 2021.



Kristine G. Baker
United States District Judge